

A

B I L L

TO

Make better provision for the administration of the Acts A.D. 1837.
relating to the relief of the destitute poor in certain parts
of Ireland, and for other purposes connected therewith.

BE it enacted by the Queen's most Excellent Majesty, by and
with the advice and consent of the Lords Spiritual and
Temporal, and Commons, in this present Parliament assembled,
and by the authority of the same, as follows :

5 1. This Act may be cited as the Distressed Unions (Ireland) Act, Short title.
1887.

2. In the case of any of the poor law unions named in the Appointment
of Commis-
sioners.
schedule to this Act, it shall be lawful for the Lord Lieutenant,
upon the application of the board of guardians of the union, from
10 time to time, by warrant, to appoint two persons to be Commissioners
for carrying into effect the purposes of this Act in that union.

An application of a board of guardians under this section shall
state that the board are unable to levy rates sufficient to pay their
existing debts and to make proper provision for the discharge of
15 their duties as such board of guardians.

A Commissioner shall hold office during the pleasure of the Lord
Lieutenant and shall be paid such salary or remuneration, and
shall receive such allowances, as the Lord Lieutenant, with the
consent of the Treasury, may determine.

20 *The salary or remuneration and allowances of a Commissioner
shall be defrayed either out of money provided by Parliament, or
out of the poor rate leviable in the union or unions for which he is
appointed, or partly from one source and partly from the other as
the Lord Lieutenant, with the consent of the Treasury, may from
25 time to time direct.*

{Bill 307.}

A

A.D. 1867. The same person may be appointed a Commissioner for two or more unions.

The Commissioners appointed for a union shall be a body corporate, by the name of the Poor Law Commissioners for that union, with perpetual succession and a common seal, and may sue and be sued 5 as such body corporate.

Powers of
Commissioners.

3. On the appointment of Commissioners for a union, the board of guardians of the union shall cease to have, or exercise any of the powers or duties by law vested in and imposed on boards of guardians, save those powers and duties which are reserved 10 to such board by this Act. The members of such board shall cease to be members of the committee for the management of the dispensaries of the union.

The Commissioners appointed for a union shall (subject to the exception hereinafter contained, with respect to debts or liabilities 15 incurred by the board of guardians of the union before the appointment of the Commissioners) be in the place of the board of guardians of such union, and shall under the direction of the Local Government Board carry into effect the Acts relating to the relief of the destitute poor in Ireland, and every other Act 20 which imposes any duty, or confers any power or right upon boards of guardians, in their capacity as such boards, or as rural sanitary authorities, or otherwise.

The Commissioners appointed for a union may from time to time make and levy any rate which a board of guardians, in their 25 capacity as such board, or as rural sanitary authority, or otherwise may make or levy upon the union, or any electoral division, or contributory district therein.

The bank acting as treasurer of the union at the time of the appointment of Commissioners shall cease to be treasurer of the 30 union, but may continue to be treasurer to the board of guardians.

The Commissioners may re-appoint the same bank to be treasurer of the union if they think fit.

It shall be the duty of the Commissioners to make and levy rates of such amount as may be necessary for providing for the relief of 35 the destitute poor in the union, and for discharging their other duties under this Act. If the Local Government Board are of opinion that rates of a greater amount than may be necessary for the purposes above mentioned can be levied without undue pressure upon the ratepayers, the Commissioners may make and levy rates 40 of such greater amount as aforesaid with a view to providing surplus funds to be applied as directed by this Act. But no rate greater than such rate as may be necessary for the relief of the destitute poor in the union shall exceed such sum as the Local Government

Board, having regard to the pressure upon the ratepayers in the union, may from time to time sanction or determine. A.D. 1887.

The Commissioners may pay so much of the wages, salary, or remuneration of any labourer, servant, or officer of the board of guardians as was due at the time of the appointment of the Commissioners, not exceeding six months of such wages, salary, or remuneration; and such labourer, servant, or officer may make a claim upon the board of guardians, in the same manner as other creditors, for any sum due to him exceeding such amount.

- 10 The Commissioners shall from time to time pay over any surplus funds (if any) not required by them for providing for the relief of the destitute poor, or for discharging their other duties under this Act, to the board of guardians of the union, or, should there be no board of guardians, to the Local Government Board, to be applied
15 in the manner provided by this Act.

4. On the appointment of Commissioners for a union, all the property of every description of the board of guardians of the union, except money then in the hands of the treasurer, shall, without any conveyance or assignment, be transferred to and vested in the
20 Commissioners, free from any charge, lien, or incumbrance. Transfer of Property.

- The Local Government Board shall cause an estimate to be made of the market value of all such property, and shall make an order declaring such value. And the Commissioners shall, within a reasonable time to be fixed by the Local Government Board, pay
25 such amount to the board of guardians, or, should there be no board of guardians, to the Local Government Board, out of moneys coming to their hands under the provisions of this Act.

- The Commissioners shall be entitled to receive and may enforce the payment of any debt due to the board of guardians for poor rate or otherwise, and may bring actions for that purpose in their own name, and may prosecute in their own name or in the name of the board of guardians any actions commenced by the board of guardians, and may cause to be executed any judgment recovered by the board of guardians before the appointment of Commissioners.
35 So much of the net amount received by the Commissioners on account of debts due to the board of guardians as may be available after the Commissioners have made such provision as they think necessary for the relief of the destitute poor in the union, and for enabling the Commissioners to discharge their other duties under this Act, shall be
40 paid over by the Commissioners to the board of guardians, or, should there be no board of guardians, to the Local Government Board.

A.D. 1887.

No action shall be brought against the Commissioners for anything done or omitted to be done, or for any debt or liability incurred, by the board of guardians before the appointment of Commissioners.

Power to borrow.

5. The Commissioners appointed for a union may, with the sanction of the Local Government Board, for the purpose of defraying any costs, charges, or expenses incurred or to be incurred by them in discharging their duties under this Act, borrow any sums of money required by them for that purpose.

In the case of each such loan, the following provisions shall take effect:—

- (1.) The Commissioners may borrow any such sum on the credit of the rates of such of the electoral divisions of the union as they, with the sanction of the Local Government Board, may determine; and for securing the repayment of the loan, with interest, they may mortgage the rates leviable on such division or divisions.
- (2.) The money shall be borrowed for such time not exceeding ten years as the Commissioners, with the sanction of the Local Government Board, may determine.
- (3.) The sums so borrowed, with interest, shall be repaid by such instalments as may be agreed on.

Power of Board of Works to make loans and grants

6.—(1.) *The Commissioners of Public Works in Ireland may, with the consent of the Treasury, on the application of the Commissioners appointed for a union under this Act, and on the recommendation of the Local Government Board, make, out of any moneys placed at their disposal by Parliament for the purpose of loans, any loan to such Commissioners, on the security of any rate leviable by the Commissioners, and without requiring any further security, such loans to bear interest at the rate of three and a half per cent. per annum.*

(2.) *If any union named in the schedule to this Act is dissolved, or the limits thereof are altered, so that such union becomes wholly or partially amalgamated with some other union, the Treasury may, on the recommendation of the Local Government Board, make, out of moneys to be provided by Parliament, a free grant of such amount as the Treasury may determine, to the board of guardians or to the Commissioners of the dissolved or altered union, to be applied by them in discharge or reduction of the debts affecting the union or such parts of the union as are amalgamated with some other union.*

Continuance of board of guardians

7. Subject to the provisions of this section, the board of guardians of a union for which Commissioners are appointed shall,

until such time as their duties and obligations as declared by this section are certified by the Local Government Board to be fully discharged, continue to exist as a board of guardians and rural sanitary authority for the following purposes :—

(1.) They shall be qualified to receive all sums payable by the Commissioners on account of the property transferred to the Commissioners under this Act and on account of other moneys made payable under this Act by the Commissioners to the guardians.

(2.) They shall apply such sums, and any sum in the hands of their treasurer applicable to the payment of their debts, to or towards the satisfaction and discharge of debts due by them at the time of the appointment of the Commissioners, and of liabilities incurred by them before that time, and shall, so far as they lawfully may, distribute such sums amongst the persons entitled thereto rateably according to the amount owing to such persons respectively.

(3.) So far as regards the functions reserved to them by this section, they shall be entitled to receive the same services and assistance from the clerk of the union as if they had continued to be for all purposes the board of guardians of the union and the sanitary authority of the sanitary district, and they may hold their meetings in the board room of the workhouse on such days as the Commissioners may sanction.

(4.) Until such time as the duties and obligations of the board of guardians as declared by this section are fully discharged, the requisite steps shall be taken by the Local Government Board, the returning officer, the clerk of the union, and all other persons concerned for holding an annual election of guardians, and supplemental elections when necessary, and for preparing and from time to time amending the list of ex-officio guardians, in order that the board of guardians may continue to exist for the purposes of this Act.

The board shall be deemed to continue to exist, and shall be lawfully constituted for the purposes of this Act, if not less than three guardians, either elected or ex-officio, continue to serve and perform the duties imposed on them by this Act.

If less than three guardians continue to serve or to discharge such duties, the board shall be deemed to have ceased to exist, and the Local Government Board shall thereupon have the power and duties which are reserved by this section to the board of guardians.

A.D. 1887.

for certain purposes.

A.D. 1887.

Nothing contained in this section shall prejudice any remedy against a board of guardians for enforcing payment of money due to him which a creditor of the board of guardians would have had if this Act had not been passed.

Commissioners may be wound up, and boards of guardians reconstituted.

8. If at any time it appears to the Lord Lieutenant that it is desirable to restore the administration of the poor law in a union for which Commissioners had been appointed to a board of guardians, he may by order make provision for the re-constitution of the board, and may by the like order make provision for all matters and things necessary for that purpose; and may declare the powers and obligations of the Commissioners to be at an end; and may make such other provisions and declarations as may be proper and necessary.

The Lord Lieutenant may by such order dissolve the corporation of the Commissioners.

When a board of guardians of a union is re-constituted, all property of every description vested in the Commissioners of that union in their capacity as such Commissioners shall, without any conveyance or assignment thereof, be transferred to and vested in the board of guardians, subject to any charges or incumbrances affecting the same, and all liabilities of the Commissioners shall be transferred to the board of guardians. And the Commissioners shall be discharged from all duties and obligations imposed on them by this Act, and the board of guardians shall, for the purpose of all legal proceedings which might be taken by or against the Commissioners, be deemed to be the successors of such Commissioners.

Interpretation.

9. In this Act—

the expression "Lord Lieutenant" includes other Chief Governor or Governors of Ireland for the time being;

the expression "Local Government Board" means the Local Government Board for Ireland;

the expression "judgment" includes a civil bill decree.

SCHEDULE.

Belmullet.
Clifden.
Oughterard.

Swinford.
Westport.

35

To be submitted for Ball
previously referred.

Distressed Unions (Ireland).

A

B I L L

To make better provision for the administration of the Acts relating to the relief of the destitute poor in certain parts of Ireland, and for other purposes connected therewith.

(*Prepared and brought in by
Mr. Arthur Rafferty, M.P. Solicitor-General for
Ireland, and Colonel Knapp-Barrow.*)

*Ordered, by The House of Commons, to be Printed,
30 June 1897.*

PRINTED BY EVEL AND STODOLSKY,
PRINTERS TO THE QUEEN AND PARLIAMENT.
And to be purchased, either singly or by wholesale, from
THOMAS B. GRIFFITHS, 10, Fleet Street, E.C.4,
and Mr. ALFRED BARNES, 10, Abchurch Lane, E.C.4,
JOHN and CHARLES BLACK, 5, Broad Street, W.1,
WILLIAM PEARSON & CO., 10, Old Bailey, E.C.4.

[*Under 1 s. 6s. Price 1d.*]

[Bill 307.]